

JULIAN M. BAUM (CA State Bar No. 130892)

**JULIAN M. BAUM & ASSOCIATES**

9 Tenaya Lane, Novato, California 94947

Telephone: (415) 892-3152

Facsimile: (888) 452-3849

E-Mail: [JMB@JMBLawGroup.Com](mailto:JMB@JMBLawGroup.Com)

GLENN R. KANTOR (CA State Bar No. 122643)

**KANTOR & KANTOR LLP**

19839 Nordhoff Street, Northridge, California 91324

Telephone: 818-886-2525

E-Mail: GKantor@kantorlaw.net

Attorneys for Plaintiff

Glenn M. Strome, M.D.

DONALD P. SULLIVAN (State Bar No. 191080)

Email: [donald.sullivan@wilsonelser.com](mailto:donald.sullivan@wilsonelser.com)

**WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP**

525 Market Street, 17<sup>th</sup> Floor

San Francisco, California 94105

Telephone: (415) 433-0990

Facsimile: (415) 434-1370

Attorneys for Defendants

RadNet Employee Benefit Plan

RadNet Management, Inc.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

GLENN M. STROME, M.D.,

Plaintiff,

v.

RADNET EMPLOYEE BENEFIT PLAN;  
RADNET MANAGEMENT, INC., in its  
capacity as designated Plan Administrator,

Defendants.

) Case No. 3:16-cv-01242-WHO

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

**STIPULATION AND ORDER:**

1. STAYING THE ACTION; AND
2. SETTING DATE FOR REPORT TO THE COURT BY THE PARTIES

Bench Trial: November 30, 2016  
Courtroom of Hon. William H. Orrick  
United States District Judge

The parties stipulate, and respectfully request that the Court order, as follows:

1           1.       This is an action for recovery of disability benefits and related relief under the  
2 Employee Retirement Income Security Act, 29 U.S.C. Sections 1001 *et seq.* (“ERISA”).

3           2.       The case is currently scheduled for trial to the Court on or about November 30,  
4 2016, by way of cross-motions for summary judgment. Docket No. 23.

5           3.       There has been no settlement of the action. However, defendants have reversed  
6 the denial of plaintiff’s benefits claim and are currently paying the benefits on a current basis.

7           4.       Defendants have reserved their rights to reassess plaintiff’s eligibility for  
8 benefits as of January 29, 2017, which date is the end of an initial 24-month benefit period,  
9 after which date different and additional terms of the disability insurance policy may apply to  
10 plaintiff’s benefits claims. Defendants have not yet made that determination as required under  
11 ERISA.

12          6.       Accordingly, the parties respectfully request that the Court stay this action as set  
13 forth in the proposed Order below, and direct that the parties shall report to the Court by  
14 March 6, 2017, whether any further issues remain for determination by the Court, whether the  
15 parties request a further Case Management Conference, or whether the action may be dismissed.

16 DATED: October 24, 2016

Respectfully submitted,

JULIAN M. BAUM & ASSOCIATES

KANTOR & KANTOR LLP

17 By: /s/ by Julian M. Baum  
18 Julian M. Baum  
19 Attorneys for Plaintiff  
20 Glenn M. Strome, M.D.

21 DATED: October 25, 2016

22 WILSON, ELSER, MOSKOWITZ  
23 EDELMAN & DICKER LLP

24 By: /s/ by Donald P. Sullivan  
25 Donald P. Sullivan  
26 Attorneys for Defendants  
27 RadNet Employee Benefit  
28 Plan; RadNet Management, Inc.

[proposed order on next page]

**ORDER**


The parties having stipulated as set forth above, IT IS HEREBY ORDERED AS  
FOLLOWS:

1. The action is hereby stayed, in its entirety, pending further order of this Court  
scheduling a further Case Management Conference or otherwise;

2. The parties shall report to the Court in writing, by Monday, March 6, 2017,  
whether any further issues remain for determination by the Court, whether the parties request a  
further Case Management Conference, or whether the action may be dismissed.

**IT IS SO ORDERED.**

Dated: October 26, 2016

  
WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE